

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

-----X
AMERICAN BANK OF THE LEHIGH :
VALLEY, t/a/ AMERICAN BANK : CIVIL ACTION NO. 02-CV-3552
: :
Plaintiff, :
: :
v. : Honorable Legrome D. Davis
: :
THE VAUGHN GROUP, INC.
Defendant :
-----X

O R D E R

AND NOW, this _____ day of _____, 2002, upon
consideration of the Motion of Defendant, The Vaughn Group, Inc.,
Admission of James E. Burke, Esquire, and Dwight A. Packard,
Esquire; Keating, Muething & Klekamp, P.L.L., 1400 Provident
Tower, One East Fourth Street, Cincinnati, Ohio, 45202, telephone
number 513) 579-6400, Pro Hac Vice, in the above captioned matter,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Motion is
GRANTED

BY THE COURT:

LEGROME D. DAVIS, U.S.D.J.

11-13-02

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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AMERICAN BANK OF THE LEHIGH	:	
VALLEY, t/a/ AMERICAN BANK	:	CIVIL ACTION NO. 02-CV-3552
	:	
Plaintiff,	:	
	:	
v.	:	Honorable Legrome D. Davis
	:	
THE VAUGHN GROUP, INC.	:	
	:	
Defendant	:	
-----X	:	

FILED NOV 13 2002

**MOTION OF DEFENDANT THE VAUGHN GROUP, INC.,
FOR ADMISSION OF JAMES E. BURKE, ESQUIRE, AND
DWIGHT A. PACKARD, II., ESQUIRE, PRO HAC VICE**

Defendant, The Vaughn Group, Inc., by its local attorneys, Miller, Alfano & Raspanti, P.C., hereby moves this Court pursuant to Eastern District of Pennsylvania Local Civil Rule 83.5.2(b) for the admission of James E. Burke, Esquire, and Dwight A. Packard, II., Esquire; Keating, Muething & KleKamp, P.L.L., 1400 Provident Tower, One East Fourth Street, Cincinnati, Ohio, 45202, telephone number (513) 579-6400; pro hac vice, in the above-captioned matter, and in support thereof avers as follows:

1. Counsel seeking this Order is James E. Burke, Esquire, and Dwight A. Packard, II., Esquire, who are attorneys at Keating, Muething & KleKamp, P.L.L., and will serve as co-counsel in this matter if the within Motion is granted.

2. James E. Burke, Esquire, is a member in good standing of the Bar of the State of Ohio, the United States District Court for

the Southern District of Ohio, the United States Court of Appeals for the Sixth Circuit, the United States Supreme Court

3. Dwight A. Packard, II., Esquire, is a member in good standing of the Bar of the States of Ohio and Florida, and the United States District Court for the Southern District of Ohio

4. The Vaughn Group has retained Gregory P. Miller, Esquire, and Michael A. Morse, Esquire, of Philadelphia, Pennsylvania to represent the company as local counsel in the above-captioned matter. Gregory P. Miller, Esquire is a founding shareholder in the firm of Miller, Alfano & Raspanti, P.C. Michael A. Morse, Esquire is an associate at the firm of Miller, Alfano & Raspanti, P.C

5. Gregory P. Miller, Esquire, is a member in good standing of the Bar of the Commonwealth of Pennsylvania and a member of the Bar of this Court, Attorney I.D. No. 24891.

6. Michael A. Morse, is a member in good standing of the Bar of the Commonwealth of Pennsylvania and a member of the Bar of this Court, Attorney I.D. No. 80507.

7 James E. Burke, Esquire, and Dwight A. Packard, II Esquire, have familiarity with the facts and issues of the above-captioned matter

8. James E Burke, Esquire, and Dwight A. Packard, II Esquire, have established a close working relationship with the client

9. As required by Local Rule 83.5.2.(b), verified statements in support of the admission of Messrs. Burke and Packard are attached to this motion as Exhibits A and B

10. As required by an Order of this Court, a check for eighty dollars (\$80.00) made payable to the Clerk of this Court, which covers the \$40.00 per lawyer fee required for *pro hac vice* participation in this matter, is attached in an envelope.

WHEREFORE, based on all of the foregoing, Defendant, The Vaughn Group, Inc., respectfully requests that this Court enter the attached Order granting the admission of James E. Burke, Esquire, and Dwight A. Packard, II., Esquire, pro hac vice, in the above-captioned matter.

Respectfully submitted,

MILLER, ALFANO & RASPANTI, P.C



GREGORY P. MILLER, Esquire
MICHAEL A. MORSE, ESQUIRE
Attorney I.D. No. 24891, 80507
1818 Market Street, Suite 3402
Philadelphia, PA 19103
(215) 972-6400

Attorney for Defendant,
The Vaughn Group, Inc.

Dated: November 13, 2002

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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**AMERICAN BANK OF THE LEHIGH :
VALLEY, t/a/ AMERICAN BANK)**

Plaintiff,

v.

THE VAUGHN GROUP, INC.

Defendant.

CIVIL ACTION NO. 02-CV-3552

Honorable Legrome D. Davis

AFFIDAVIT OF JAMES E. BURKE, ESQUIRE

James Burke, in his capacity as attorney for The Vaughn Group, Inc., of full age and duly sworn, states and declares as follows:

I am a partner with the law firm of Keating, Muething & Klekamp, P.L.L., located in Cincinnati, Ohio. I am an active member in good standing with the State Bar of Ohio and admitted to practice before the Supreme Court of Ohio (1978); the United States District Court for the Southern District of Ohio (1978); the United States District Court for the Eastern District of Michigan (1998); the United States Court of Appeals for the Sixth Circuit (1983); the United States Court of Appeals for the Seventh Circuit (1993); the United States Court of Appeals for the Ninth Circuit (1996); and the United States Supreme Court (1988).

2. I have not been the subject of disciplinary action in the last five years by the bar or courts of any jurisdiction in which I have been licensed.

3 I have not been denied admission to the courts of any state or to any federal court during the last five years.

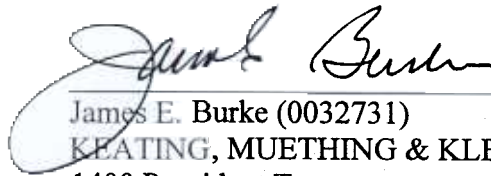
4. I am completely familiar with the facts and issues of the above-captioned matter.

5. I have established a close working relationship with my client in this matter.

6. I do swear (or affirm) that I will demean myself as an attorney of this Court uprightly and according to the law and that I will support and defend the Constitution of the United States.

I declare upon penalties of perjury that the foregoing is true and correct this **5th** day of **November, 2002**.

Respectfully submitted,



James E. Burke (0032731)

KEATING, MUETHING & KLEKAMP, P.L.L.

1400 Provident Tower

One East Fourth Street

Cincinnati, Ohio 45202

Tel. (513) 579-6429

Fax (513) 579-6457

jburke@kmklaw.com

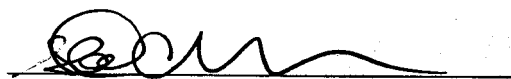
Attorney for The Vaughn Group, Inc.

STATE OF OHIO

§
§
§

COUNTY OF HAMILTON

Sworn to before me and subscribed in my presence this **5th** day of **November, 2002** by
James E. Burke, Esquire.


Notary Public

STEVE CHARLES COFFARO, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03

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VALLEY, t/a/ AMERICAN BANK : CIVIL ACTION NO. 02-CV-3552

Plaintiff, :
v : Honorable Legrome D. Davis
THE VAUGHN GROUP, INC. :
Defendant :
--X

AFFIDAVIT OF DWIGHT A. PACKARD, II., ESQUIRE

Dwight A. Packard, II., Esquire, of full age and duly sworn, states and declares as follows:

1. I, Dwight A. Packard, II., am an attorney at Keating, Muething & Klekamp, P.L.L., 1400 Provident Tower, One East Fourth Street, Cincinnati, Ohio, 45202, telephone number (513) 579-6400, and will serve as co-counsel for the Defendant in this matter if I am admitted Pro Hac Vice.

2. I, Dwight A. Packard, II., Esquire, am a member in good standing of the Bar of the States of Ohio and Florida, and the United States District Court for the Southern District of Ohio.

3. I, Dwight A. Packard, II., Esquire, am complete familiarity with the facts and issues of the above-captioned matter.

4. I, Dwight A. Packard, II., Esquire, have established a close working relationship with the client.

5. I, do swear (or affirm) that I will demean myself as an attorney of this Court uprightly and according to the law and that I will support and defend the Constitution of the United States.

I declare upon penalties of perjury that the foregoing is true and correct this 4th day of November, 2002


Dwight A. Packard, II., Esquire

Sworn to and subscribed in my presence this 4th day of November, 2002

1039139.1


Notary Public



STAUTBERG, Attorney at Law
Notary Public, State of Ohio
Commission Has No Expiration Date
Section 147.03

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion of Defendant The Vaughn Group, Inc., for Admission of James E. Burke, Esquire and Dwight A. Packard, II., Esquire, *Pro Hac Vice*, has been served on this date upon the following individuals and in the manner indicated below:

VIA FIRST CLASS MAIL

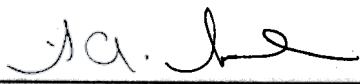
FILED NOV 13 2002

Kevin T. Fogerty, Esquire
Mill Run Office Center
1275 Glenlivet Drive, Suite 150
Allentown, PA 18106

Attorney for Plaintiff

MILLER, ALFANO & RASPANTI, P.C

By:



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MICHAEL A. MORSE, ESQUIRE
I.D. Nos. 24891, 80507
1818 Market Street
Suite 3402
Philadelphia, PA 19103
(215) 972-6400

Attorney for Defendant,
The Vaughn Group, Inc.

Dated: November 13, 2002